

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 24, 2003. Claims 1-28 were pending in the Application.

Election of Claims

Applicant affirms the election of Claims 1-8 and 18-28, as discussed previously during a telephone conversation with the Examiner on March 11, 2003. In light of this election, Applicant withdraws Claims 9-17, without prejudice or disclaimer.

As described below, Applicant believes all pending claims to be allowable over the cited references. Therefore, Applicant respectfully requests reconsideration and full allowance of all pending claims.

Claim Rejections Under §112

The Examiner rejects Claims 26 and 28 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonable convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant has amended Claims 26 and 28 and believes that the amendments are sufficient to overcome these rejections. Therefore, Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections Under §102

The Examiner rejects Claims 1-5, 7, 18-22, and 25-28 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,056,059 issued to Ohmer ("Ohmer"). Applicant respectfully argues that independent Claims 1, 18, 25, and 27, as amended, are in condition for allowance, as they contain elements not found in *Ohmer*.

Ohmer discloses a method and an apparatus for creating multiple branch wells from a parent well. (*Ohmer*, Abstract). A multiple branching sub is provided for deployment in a borehole by means of a parent casing through a parent well. (*Ohmer*, Col. 2; Lines 31-33). The branching sub includes a branching chamber and a plurality of branching outlet members. (*Ohmer*, Abstract). The branching outlet members provide fluid communication with the branching chamber. (*Ohmer*, Col. 2; Lines 40-43). Boreholes are drilled through

the multiple branch outlets to form branch wells. (*Ohmer*, Col. 3; Lines 5-18). Branch wells can be used to drain a single strata or reservoir. (*Ohmer*, Col. 17; Lines 17-18). The branch wells can be used for extraction, storage, or injection of various fluids. (*Ohmer*, Col. 18; Lines 60-63).

Claim 1 of the present application, as amended, recites the following:

A method for accessing a subterranean zone from the surface, comprising:

forming an entry well bore from the surface;

forming two or more slanted well bores from the entry well bore to the subterranean zone;

forming a substantially horizontal drainage pattern from the slanted well bores into the subterranean zone; and

forming a rat hole associated with each slant well bore and extending below the substantially horizontal drainage pattern, the rat hole formed such that water and other fluids from the subterranean zone drain through the substantially horizontal drainage pattern and collect in the rat hole to facilitate removal of the fluids from the subterranean zone.

Independent Claims 18, 25, and 27 recite similar, although not identical, limitations.

Applicant respectfully argues that *Ohmer* fails disclose all of the elements recited in Claims 1, 18, 25, and 27, as amended. For example, Claim 1, as amended, recites "forming a rat hole associated with each slant well bore and extending below the substantially horizontal drainage pattern, the rat hole formed such that water and other fluids from the subterranean zone drain through the substantially horizontal drainage pattern and collect in the rat hole to facilitate removal of the fluids from the subterranean zone." Claims 18, 25, and 27 recite similar, although not identical elements. *Ohmer* does not disclose a rat hole formed in a slant well bore such that fluids from a subterranean zone collect in the rat hole to facilitate removal of those fluids, as recited in Claim 1, and similarly in Claims 18, 25, and 27.

For at least this reason, Applicant respectfully requests reconsideration and allowance of independent Claims 1, 18, 25, and 27, and all claims that depend from those claims.

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Claim Rejections Under §103

The Examiner rejects Claims 6 and 23 under 35 U.S.C. §103(a) as being unpatentable over *Ohmer*. The Examiner also rejects Claims 8 and 24 under 35 U.S.C. §103(a) as being unpatentable over *Ohmer* in view of U.S. Patent No. 4,763,734 issued to Dickinson ("Dickinson").

Claims 6 and 8 depend from Claim 1, while Claims 23-24 depend from Claim 18. As stated above, Applicant believes that Claims 1 and 18, as amended, are allowable since *Ohmer* fails to recite all the elements of those claims. Therefore, Applicant believes that Claims 6 and 8 and 23-24, which depend from Claims 1 and 18, respectively, are also in condition for allowance.

For at least these additional reasons, Applicant respectfully requests reconsideration and allowance of Claims 6, 8, 23, and 24.

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CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicant, at the Examiner's at (214) 953-6986.

Although no other fees are believed due, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

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